



**COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT**

*Promoting the wise use of land
Helping build great communities*

SUBDIVISION REVIEW BOARD

MEETING DATE September 12, 2016	CONTACT/PHONE Jo Manson (805) 781-4660 jmanson@co.slo.ca.us	APPLICANT Gene and Barbara Bilyeu	FILE NO. CO 04-0574 SUB2004-00213
SUBJECT A request for a Third Time Extension by GENE AND BARBARA BILYEU for a Tentative Parcel Map (CO 04-0574) to subdivide an existing 2.5 acre parcel into two parcels of 1.25 acres each for the purpose of sale and/or development. The proposed project is within the Residential Suburban land use category and is located at 1085 Vineyard Drive in the community of Templeton. The site is in the Salinas River Sub-area in the North County Planning Area.			
RECOMMENDED ACTION Approve the third time extension request for Tentative Parcel Map CO 04-0574.			
ENVIRONMENTAL DETERMINATION A General Rule Exemption was issued on April 5, 2005 (ED 04-457).			
LAND USE CATEGORY Residential Suburban	COMBINING DESIGNATION None	ASSESSOR PARCEL NUMBER 039-281-027	SUPERVISOR DISTRICT(S): 1
PLANNING AREA STANDARDS: None applicable to this project			
LAND USE ORDINANCE STANDARDS: 22.22.070 – Subdivision Design Standards for Residential Suburban			
EXISTING USES: Single family residence and accessory structures			
SURROUNDING LAND USE CATEGORIES AND USES: North: Residential Suburban / Residences East: Residential Suburban / Residences South: Residential Suburban / Residences West: Residential Suburban / Residences			
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: Tentative parcel map was originally referred to Templeton Community Advisory Group, Public Works, Environmental Health, County Parks, Templeton Community Services District, Templeton Community Services District-Fire Dept.			
TOPOGRAPHY: Flat		VEGETATION: Grasses/some oak trees	
PROPOSED SERVICES: Water supply: Community system Sewage Disposal: Individual septic system Fire Protection: Templeton Community Services District		ACCEPTANCE DATE: N/A	
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER γ SAN LUIS OBISPO γ CALIFORNIA 93408 γ (805) 781-5600 γ FAX: (805) 781-1242			

TIME EXTENSION REQUEST/PROJECT DESCRIPTION

Tentative Parcel Map CO 04-0574 was approved by the Subdivision Review Board on June 6, 2005 and was set to expire on June 6, 2016. The applicant requested the **third one year time extension and paid the extension application fee on May 13, 2016**. If a time extension request is submitted on or before the expiration date, it remains valid until acted on by the decision making body. (A time extension for a tentative map also extends the life of the related development plan if it is required as a part of the subdivision process).

Tentative Parcel Map (CO 04-0574) is a request by Gene and Barbara Bilyeu for a tentative parcel map to subdivide an existing 2.5 acre parcel into two parcels of 1.25 acres each for the purpose of sale and/or development.

This tentative map is not yet ready to record. Additional time is necessary to comply with the conditions of approval. Time extensions for tentative maps are discretionary; however, they have historically been processed as an administrative action and placed on the consent agenda for notification purposes for both the Subdivision Review Board and the public.

DISCUSSION

The Subdivision Map Act & Real Property Division Ordinance

The Subdivision Map Act provides that a conditionally approved tentative map shall expire twenty-four (24) months after its conditional approval. The original expiration date was June 6, 2007. The Subdivision Review Board approved a first one year time extension request on July 9, 2007 and the new expiration date was June 6, 2008. The Subdivision Review Board approved a second one year time extension request on July 14, 2008 and the new expiration date was June 6, 2009. With recent amendments, the Subdivision Map Act now allows up to six (6) one year discretionary time extensions (without legislative time extensions). The applicant must request each of the *discretionary* time extensions. This request is the applicant's **third discretionary one year time extension request**.

The Subdivision Map Act was amended in 2008, 2009, 2011 and 2013 to provide tentative maps with "automatic, state-mandated" extensions that are above and beyond the six (6) one year time extensions as follows:

Senate Bill 1185 (California Government Code Section 66452.21) – If a tentative map was approved before and not expired on July 15, 2008 and will expire between July 15, 2008 and January 1, 2011 – extends the tentative map twelve (12) months. Tentative Parcel Map CO 04-0574 was extended to June 6, 2010.

Assembly Bill 333 (California Government Code Section 66452.22) – If a tentative map was approved before and not expired on July 15, 2009 and will expire between July 15, 2009 and January 1, 2012 – extends the tentative map twenty four (24) months. Tentative Parcel Map CO 04-0574 was extended to June 6, 2012.

Assembly Bill 208 (California Government Code Section 66452.23) – If a tentative map was approved before and not expired on July 15, 2011 and will expire between July 15, 2011 and January 1, 2014 – extends the tentative map twenty four (24) months. Tentative Parcel Map CO 04-0574 was extended to June 6, 2014.

Assembly Bill 116 (California Government Code Section 66452.24(a)) – If a tentative map was approved after January 1, 2000 and not expired on July 11, 2013 extends the tentative map twenty four (24) months. Vesting Tentative Parcel Map CO 04-0574 was extended to June 6, 2016.

Staff Determination and Recommendation

This time extension request has been reviewed by staff. It complies with The Subdivision Map Act and Section 21.06.010 of the Real Property Division Ordinance, and remains in compliance with the General Plan and County ordinances.

After review of the vesting tentative map, staff recommends to the Subdivision Review Board that the **third one year time extension** be granted to June 6, 2017 subject to the conditions of approval set by the Subdivision Review Board on June 6, 2005.

ATTACHMENTS

Attachment 1 - Project Graphics

Attachment 2 - Notice of Final County Action, June 6, 2005

Report prepared by Jo Manson and reviewed by Terry Wahler, Senior Planner